

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION

IN RE:	)	
	)	
NEW SCHOONEBEEK DAIRY, LLC,	)	CASE NO. 09-34327-hcd
Debtor.	)	Chapter 11

**APPLICATION FOR ALLOWANCE OF ATTORNEY'S FEES**

Comes now the firm of Hammerschmidt, Amaral & Jonas, by R. William Jonas, Jr., and prays this court for entry of an Order approving fees and expenses to Hammerschmidt, Amaral & Jonas in connection with its services performed as counsel for New Schoonebeek Dairy, LLC, Debtor. The amount of fees and expenses which applicant seeks to have this court approve is \$16,303.28 as more fully described below. The applicable period for which this application is made is January 8, 2010 through October 21, 2010. In support of its application, HAMMERSCHMIDT, AMARAL & JONAS would show the court the following:

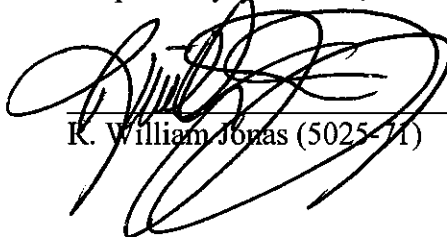
1. Applicant has been counsel for the Debtor since the filing of the Chapter 11 proceeding on behalf of New Schoonebeek Dairy, LLC, Debtor.
2. Services include several emails to the Trustee, various attorneys and client, telephone conferences with client and various attorneys, drafting pleadings and settlement agreement, conferences with client and various attorneys, drafting amended disclosure statement and correspondence to various individuals.
3. Attached hereto as Exhibit "A" is an itemized summary of time spent by R. William Jonas, Jr. in this matter during the period covered by the application. The itemized summary reveals a total of 52.40 hours expended by counsel for the Debtor, R. William Jonas, Jr., whose time is charged by the firm at \$295.00 per hour. The net fees which applicant asks the Court to allow is a total of \$16,303.28. Out-of-pocket expenses were incurred during the reporting period for which applicant seeks reimbursement as follows:

1/8/2010	Photocopies (44x3@\$.25)	\$33.00
1/8/2010	Postage (44@\$.44)	\$19.36
2/19/2010	Photocopies (46x3@\$.25)	\$34.50
2/19/2010	Postage (46@\$.44)	\$20.24
9/14/2010	Photocopies (53x60@\$.25)	\$795.00
9/14/2010	Postage (53@\$.58)	\$136.74
10/20/2010	Photocopies (54x16@\$.25)	\$216.00
10/20/2010	Postage (54x\$.61)	\$32.94
	Total	\$1,287.78

4. No agreement exists whereby Hammerschmidt, Amaral & Jonas will share or has agreed to share any compensation received or to be received for its representation of the Debtor with any party other than its employees.

WHEREFORE, applicant prays that this court, after notice and hearing allow the sum of net fees which applicant asks the Court to allow totaling \$15,015.50 plus expenses and advances in the amount of \$1,298.78 for a total amount due from Debtor of \$16,303.28 as more fully set out in the exhibit hereto, and that the court allow said amount as an administrative expense payable through the Debtor's Chapter 11 Plan, and for such other and further relief as this court may deem just and proper.

Respectfully submitted,

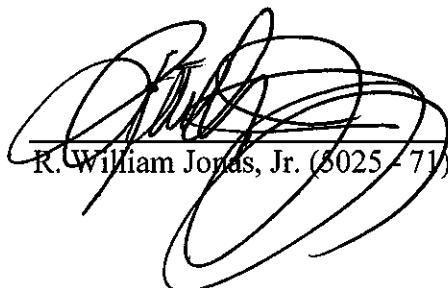


R. William Jonas (5025-71)

Attorney for Debtors  
Hammerschmidt, Amaral & Jonas  
137 N. Michigan Street  
South Bend, IN 46601  
574-282-1231

**Certificate of Service**

The undersigned hereby certifies that a true and correct copy of the foregoing document was sent to: Nancy Gargula, Office of the United States Trustee, One Michiana Square, 100 East Wayne Street, Rm 555, South Bend, IN 46601 by first-class mail, postage fully prepaid on this the 5<sup>th</sup> day of November, 2010.



R. William Jonas, Jr. (5025-71)

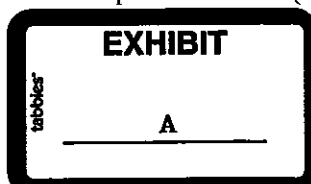


137 N. Michigan St.  
South Bend, IN 46601  
Telephone 574-282-1231  
Fax 574-282-1234

New Schoonebeek Dairy, LLC  
7555 S 390 E  
Wabash, IN 46992

Re: Insolvency

1/8/2010 Telephone conference with Attorney Kennedy	0.30	\$88.50
1/12/2010 Review email from Attorney Arnold (.4); email to client regarding the proposal from Mr. Arnold (.2); email to Mr. Arnold (.1)	0.70	\$206.50
1/12/2010 Complete first draft of Disclosure Statement	4.30	\$1,268.50
1/14/2010 Telephone conference with client regarding draft plan, response to Bekel Leasing regarding renegotiation of lease.	0.40	\$118.00
1/14/2010 Draft and send email to Attorney Arnold responding to proposal for renegotiated lease with Bekel Leasing	0.40	\$118.00
1/18/2010 Review revised budget numbers from client including rental payments to Bekel Leasing and adoption of proposed plan payments to Rabo Agrifinance	0.50	\$147.50
1/19/2010 Review voicemail from Attorney Arnold (.1); telephone conference with client (.4)	0.40	\$118.00
1/20/2010 Telephone pre-trial conference (.2); email to Attorney Kennedy regarding structure of deal with Bekel Leasing (.3)	0.50	\$147.50
1/21/2010 Telephone call to Attorney Connelly (left message)	0.10	\$29.50
1/22/2010 Telephone conference with Attorney Connelly regarding claim of North Central Co-op, issues in bankruptcy case and proposed treatment of unsecured creditors in plan of reorganization.	1.00	\$295.00
1/26/2010 Telephone call to Attorney Arnold (returning his call...left message)	0.10	\$29.50
1/27/2010 Telephone conference with Attorney Arnold regarding counter-proposal on lease	0.50	\$147.50
1/28/2010 Telephone conference with Attorney Arnold regarding revision of lease agreement (.6); email to client regarding same (.2)	0.80	\$236.00
1/29/2010 Review email from client regarding Bekel leasing proposal (.3); email to client regarding Bekel Leasing and Rabo Agrifinance response to request for funds to acquire additional cattle (.2)	0.50	\$147.50
1/29/2010 Email to Attorney Arnold regarding Bekel Leasing revised terms, drafting of agreement and strategy for approval (.4); review response from Attorney Arnold and forward same to client (.2)	0.60	\$177.00
2/1/2010 Review email and draft agreement from Attorney Arnold (.7); email to client regarding same (.2); email to Attorney Kennedy with copy of draft agreement (.2); review email and draft addendum regarding option price (.4); forward same to client (.2); telephone conference with Attorney Kennedy regarding Wednesday hearing and Rabo position on plan treatment (.3)	2.00	\$590.00



2/3/2010	Email to client regarding draft agreement (.2); email to Attorney Kennedy (.2); email to Attorney Arnold (.1); pretrial conference by telephone (.3); email to client (.1)	0.90	\$265.50
2/3/2010	Review email from Attorney Arnold regarding assumption of lease language in amended lease (.2); telephone conference with client regarding draft lease (.2); telephone conference with Attorney Arnold regarding proposed lease revision (.3); email correspondence with Attorney Arnold regarding proposal (.2); email to client regarding Arnold questions (.1)	1.00	\$295.00
2/4/2010	Review email from client and respond to same	0.20	\$59.00
2/5/2010	Review email and letter from Attorney Kennedy (.2); forward same to client (.1); review email from client and respond to Attorney Arnold (.3)	0.60	\$177.00
2/8/2010	Telephone conference with Attorney Kennedy regarding DFA letter approval and efforts on Rabo's end to consider and comment on plan proposal and proposed settlement with Bekel Leasing	0.30	\$88.50
2/15/2010	Review revised proposal and send to client for review and approval	0.40	\$118.00
2/16/2010	Telephone conference with client regarding Bekel Leasing proposal and current situation	0.40	\$118.00
2/17/2010	Telephone conference with Attorney Arnold regarding agreed order	0.40	\$118.00
2/17/2010	Review revised settlement agreement (.3); email to client regarding same and asking for authority to conclude the agreement (.2)	0.50	\$147.50
2/18/2010	Draft Motion for Approval of Settlement of Administrative Claim and Assumption of Lease	0.70	\$206.50
3/18/2010	Review monthly report and file (.1); review show cause order and email from Attorney Kennedy (.1); draft response to show cause order and email to Attorney Kennedy (.2)	0.40	\$118.00
4/16/2010	Telephone conference with client	0.50	\$147.50
4/27/2010	Telephone conference with Attorney Lehman (.4); email to Attorney Lehman (.1); telephone conference with Attorney Kennedy regarding telephonic status conference (.3)	0.80	\$236.00
4/28/2010	Telephone status conference with court (.3); telephone conference with Attorney Kennedy regarding plan terms (.4)	0.70	\$206.50
5/3/2010	Review proposed order from Attorney Kennedy (.2); email to Mr. Kennedy approving form of order (.2)	0.50	\$147.50
5/5/2010	Office conference with client to discuss plan and disclosure statement, Rabo Bank issues, Pleasant Home Farm request (1.5); email to Attorney Kennedy regarding April numbers (.3); email to Attorney Lehman regarding meeting (.1)	1.90	\$560.50
5/10/2010	Travel to and from Wabash for meeting with Attorney Lehman and Mr. Eppley	3.00	\$442.50
5/10/2010	Meeting with Attorney Lehman and Mr. Eppley	1.00	\$295.00
5/17/2010	Telephone conference with client regarding Rabo and manure spreading, pre-nuptial agreement and post wedding purchase of home	0.30	\$88.50
5/19/2010	Review April monthly report and email from Attorney Lehman	0.40	\$118.00
6/11/2010	Telephone conference with Attorney Arnold regarding Bekel Leasing desire to get plan on file and go forward to confirmation over Rabo objections	0.30	\$88.50
6/23/2010	Office conference with client and revise plan before filing	0.90	\$265.50

6/25/2010

Review and revise plan and disclosure statement; final preparation prior to filing	2.50	\$737.50
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6/28/2010 Review budget projections through January 2011	1.50	\$442.50
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6/30/2010 Telephone conference with Attorney Arnold regarding plan of reorganization (lease assumption/rejection issue)	0.40	\$118.00
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7/6/2010 Email correspondence with Attorney Kennedy regarding June numbers for New Schoonebeek	0.50	\$147.50
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7/6/2010 Telephone conference with Attorney Kennedy	0.30	\$88.50
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7/6/2010 Telephone conference with Attorney Connelly regarding disclosure statement for New Schoonebeek Dairy	0.30	\$88.50
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8/3/2010

Prepare amended disclosure statement (.4); telephone call to Attorney Connelly (.2); review appearance by Attorney Grainger on behalf of North Central Co-op and telephone conference with Attorney Grainger (.4); hearing on disclosure statement (1); meeting with Attorney Kennedy regarding Rabo bank issues with plan (.5); memo to file regarding Rabo requests (.2); email to client regarding Rabo requests (.2); review voicemail from Attorney Arnold regarding disclosure statement hearing and plan revisions (.1) review voicemail from Attorney Lehman regarding disclosure statement, hearing and Pleasant Home Farm issues (.1); telephone conference with Attorney Arnold regarding plan revision for Bekel Leasing (.5)	3.60	\$1,062.00
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8/9/2010 Review plan of reorganization (.8); recompute payment amount given July 31 balance on Rabo loan (.3); modify language in section 6.01 to clarify issue related to Bekel Leasing (.5); telephone call to Attorney Arnold to inform him of revised language (.2)	1.80	\$531.00
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8/11/2010 Telephone conference with Attorney Kennedy (.3); email to client regarding July feed usage figures (.2)	0.50	\$147.50
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8/11/2010 Review facsimile from client with July cattle and feed figures (.3); email to Attorney Kennedy (.2)	0.50	\$147.50
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8/11/2010 Review Rabo letter to DFA; forward same to client	0.30	\$88.50
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8/13/2010 Telephone conference with Attorney Arnold regarding Bekel leasing issues (is unsecured claim in amount stated in plan and will agree to include difference between amount paid to Rabo and amount due as administrative claim to be paid pursuant to plan)	0.40	\$118.00
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8/17/2010 Telephone conference with client regarding current situation and intent to switch to plan payment for Rabo starting with August	0.60	\$177.00
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8/17/2010 Email correspondence with Attorney Arnold regarding Rabo payments under cash collateral order	0.60	\$177.00
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9/14/2010

Review email from Attorney Kennedy and respond to same (.3); telephone conference with attorney Kennedy regarding release of funds and purchase of additional vattle (.4); telephone conference with client regarding funds advance from DFA, proposal to buy additional cattle with remaining \$48,000 (.4)	1.10	\$324.50
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9/15/2010 Review cow numbers and plan for purchase of additional cattle if Rabo approves	0.60	\$177.00
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9/16/2010 Telephone conference with client (.3); email to Attorney Kennedy regarding release of DFA funds in excess of 'true up' amount (.2)	0.50	\$147.50
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9/17/2010	Telephone conference with Jay Kennedy regarding release of DFA funds (.3); telephone call to client regarding same (.1); memo to KRH regarding proposed agreement and necessary steps in my absence (.2)	0.60	\$177.00
9/28/2010	Telephone conference with Attorney Harder representing Amir Ben Joshua (herdsman)	0.40	\$118.00
10/4/2010	Review email from Attorney Kennedy (.1); telephone call to Attorney Kennedy to arrange meeting to discuss consensual plan of reorganization (.3)	0.40	\$118.00
10/5/2010	Telephone conference with Attorney Kennedy (.3); email to client regarding cattle numbers and milk production results for September (.1)	0.40	\$118.00
10/6/2010	Review end-of-month report (.2); telephone conference with client regarding report; he is to review and get back to me on it (.4)	0.60	\$177.00
10/7/2010	Review facsimile transmission from client (.5); email copy of same to Attorney Kennedy (.1)	0.60	\$177.00
10/8/2010	Telephone call to Attorney Kennedy regarding scheduling meeting for 10/12 or 13 (.2); review and forward cattle numbers from client (.2)	0.40	\$118.00
10/11/2010	Review letter from Attorney Kennedy to Dairy Farmers of America (.3); forward copy of letter to client (.1); telephone conference with Attorney Kennedy to schedule meeting to discuss plan provisions (.3); review article regarding Rabo suit to foreclose loans to Vreda Hoff Dairy and send copy to client (.2)	0.90	\$265.50
10/11/2010	Review Objection to Confirmation of Plan by North Central Co-op (.3); Review schedules and claims of Rabo Agrifinance and North Central Co-op (.3); letter to Attorney Connelly regarding my analysis of the objection and status of the secured claim of North Central Co-op (.3)	0.90	\$265.50
10/13/2010	Meeting with Attorney Kennedy to discuss Rabo plan treatment and other confirmation issues	0.80	\$236.00
10/20/2010	Review ballots and draft report to Court (.5); review letter from Attorney Connelly and prepare objection to Clam 2 as secured and motion to allow as unsecured (.4)	0.90	\$265.50
10/21/2010	Review voicemail from Attorney Kennedy (.1); telephone conference with Attorney Kennedy regarding confirmation prospects if an agreement is reached with Rabo (.3)	0.30	\$88.50
	R. William Jonas, Jr.	52.40	\$15,015.50
	For Professional Services Rendered	52.40	\$15,015.50
1/8/2010	Photocopies (44x3@\$.25)		\$33.00
1/8/2010	Postage (44@\$.44)		\$19.36
2/19/2010	Photocopies (46x3@\$.25)		\$34.50
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9/14/2010	Postage (53@\$2.58)		\$136.74
10/20/2010	Photocopies (54x16@\$.25)		\$216.00
10/20/2010	Postage (54x\$.61)		\$32.94
	Total Expenses		\$1,287.78

\$15,015.50

Balance Due

\$16,303.28

Terms: Net 30

A minimum service charge of \$5.00 or 1.5% per month (18%APR) will be added to all balances not paid within 30 days.